

Allamakee County/Teamsters Local 238 (Roads)

2007-2008
CEO 36
Factor: 2
RECEIVED
2008 MAY 14 AM 8:54
PUBLIC EMPLOYMENT
RELATIONS BOARD

Before the Arbitrator Nancy D. Powers

In the Matter of:
Allamakee County,
Employer

Fact-finder's Recommendations

And

Teamsters, Local 238, Union

Date: May 12, 2008

Appearances

For the Union: Jill M. Hartley
Previant, Goldberg, Uelmen, Gratz, Miller &
Brueggeman
1555 N. River Center Dr., Suite 202
Milwaukee, WI 53212

For the Employer: Richard Zahasky
309 W. Water St.
Decorah, Iowa 52101

Statement of Jurisdiction

Allamakee County and Teamster's Local 238 have engaged in collective bargaining for a 2008 contract. After reaching impasse, the parties sought Fact-finding to assist in the resolution of their outstanding issues. The undersigned was selected from a list of fact-finders provided by the Iowa PERB.

A hearing was held on May 7, 2008 at the Allamakee County Courthouse, Waukon, Iowa. Both parties had an opportunity to present evidence and arguments in support of their respective positions.

Statement of the Issues at Impasse

1. Wages

Relevant Statutory Provisions

20.21 Fact-finding.

If the impasse persist ten days after the mediator has been appointed, the board shall appoint a fact-finder representative of the public, from a list of qualified persons maintained by the board. The fact-finder shall conduct a hearing, may administer oaths, and may request the board to issue subpoenas. The fact-finder shall make written findings of facts and recommendations for resolution of the dispute and, not later than fifteen days from the day of appointment, shall serve such findings on the public employer and the certified employee organization.

The public employer and the certified employee organization shall immediately accept the fact-finder's recommendation or shall within five days submit the fact-finder's recommendations to the governing body and members of the certified employee organization for acceptance or rejection. If the dispute continues ten days after the report is submitted, the report shall be made public by the board...

Section 20.22. Binding Arbitration.

9. The panel of arbitrators shall consider, in addition to any other relevant factors, the following factors:

a. Past collective bargaining contracts between the parties including the bargaining that led up to such contracts.

b. Comparison of wages, hours and conditions of employment of the involved public employees with those of other public employees doing comparable work, giving consideration to factors peculiar to the area and the classifications involved.

c. The interests and welfare of the public, the ability of the public employer to finance economic adjustments and the effect of such adjustments on the normal standard of services.

d. The power of the public employer to levy taxes and appropriate funds for the conduct of its operations.

Findings of Fact

Allamakee County is located in the Northeast corner of the state of Iowa. The County has a population of approximately 14,800 citizens. The bargaining unit consists of 27 non-supervisory employees in the secondary roads department. Current wage rates are \$15.76 for a Maintenance I (truck driver) (currently 8 employees), \$15.92 for a Maintenance II (patrol operator) (currently 11 employees) and \$16.07 for a Maintenance III (heavy equipment operator) (currently 3 employees). The bulk of the employees in the bargaining unit are in these three categories. The secondary road fund for the County is approximately \$2.5 million for 2007.

The parties both used contiguous counties in Northeast Iowa as their comparability group. The counties are Clayton, Chickisaw, Bremer, Buchanan, Delaware, Fayette, Howard and Winneshiek. The Union did

not include Delaware County. Winneshiek, Clayton and Fayette Counties are larger departments. The rest are the same size secondary road departments as Allamakee or slightly smaller. Population varies from 23,837 in Bremer County to 12,412 in Chickasaw County. There are no major-sized cities in any of the Counties.

All of the Counties pay longevity pay. Clayton County just initiated longevity effective July 1, 2008. All of the Counties provide health insurance to employees. Single coverage is 100% employer paid in all counties except Bremer and Buchanan where employees pay a 5% and 7% of the premium. Both Winneshiek and Clayton Counties pay nothing towards family coverage. The rest pay a portion of the family premium. Allamakee provides a flat amount of coverage which works out to about 38% of the family premium. The parties agreed to increase the amount by \$5 for 2008.

Wage rates in the comparable counties are as follows:

County	MI	MII	MIII
Allamakee	\$15.76	\$15.92	\$16.09
Bremer	\$16.89	\$17.05	\$17.27
Buchanan	\$15.98	\$16.18	\$16.27
Chickisaw	\$16.46	\$16.46	

Clayton	\$16.53	\$17.03	\$17.03
Fayette	\$15.99	\$16.09	\$16.16
Howard	\$15.71	\$15.84	\$16.07
Winneshiek	\$16.36	\$16.46	\$16.57

Settlements have been reached in the Sheriff's Bargaining Unit for Allamakee County, where the parties agreed on a 3.5% increase. Other counties in the comparability group have settled as follows: Bremer – 3.75% for three years, Buchanan 3.25% for four years, Clayton – 3.3% for one year, Chickisaw – 3.5% for 3 years, Fayette -3.5% for two years, Howard – 3.75%, Winneshiek – no settlement.

Positions of the Parties

Position of the Union: The Union proposes a \$.72 per hour wage increase. This would be a 4% - 4.56% depending on the job classification.

Position of the County: The County proposes a 3.5% increase. Based on the average wage rate, this would be \$.57 per hour.

Discussion and Recommendation

The fact-finder is directed to make a recommendation which will be acceptable to the parties and help resolve the collective bargaining

dispute. Arbitrators are directed by statute to consider the criteria listed in Section 20.22(9) in selecting final offers. It is with these criteria in mind as a fact-finder that I make the following recommendation.

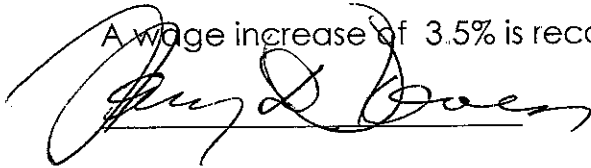
The Union bases its position on the claim that wages are below the average for the comparability group and should be raised with an above average settlement. I am not persuaded by the Union's argument. While Allamakee County is the next to lowest paid in the group, it has a generous longevity pay and most of the employees in the unit are long-term employees who obtain this pay in addition to their hourly wages. Only three employees don't receive some longevity pay. The County also has the best vacation schedule in the group. The insurance coverage negotiated by the parties compares well with the comparability group. There is not sufficient evidence that the wages of Allamakee County employees are falling behind to the extent that a "make up" wage should be recommended.

The other organized group in Allamakee County – the Sheriff Deputies- has reached a voluntary settlement of 3.5%. There was no evidence that the Secondary Road bargaining unit has such a unique set of issues with the County that its settlement should break this pattern. Absent some compelling evidence to the contrary, this pattern should be encouraged in order to promote employee satisfaction within the County.

The County's position of a 3.5% increase is a reasonable position. It is right in the middle of the settlements of the comparability group.

Recommendation.

A wage increase of 3.5% is recommended.

A handwritten signature in black ink, appearing to read "Nancy D. Powers", written over a horizontal line.

Nancy D. Powers, Fact-finder

Dated May 12, 2008